

\$~48

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 5940/2018**

ARUN MEHRA AND ANR.

..... Petitioners

Through Mr. Adarjh Tripathi and Mr. Gaurav,
Advs.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through Ms. Shiva Lakshmi, CGSC with Mr.
Siddharth Singh and Mr. Ruchir
Ranjan Rai, Advs.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **29.05.2018**

CM APP No. 23170/2018

1. Allowed, subject to just exceptions.

W.P.(C) 5940/2018 & CM APP No. 23169/2018

2. Learned counsel for the petitioners says that the defaulting company i.e. C Infrastructure Corporation Limited, has approached the NCLT for revival under Section 252 of the Companies Act, 2013.

3. For this purpose, my attention has been drawn to the copy of the order dated 17.4.2018. It appears that an appeal bearing no.419/252/ND/2018 has been registered qua the aforementioned company.

4. I am told by the counsel for the petitioners that the said appeal is coming up for hearing before the NCLT on 4.7.2018.

5. The petition is, accordingly, disposed of giving liberty to the petitioners to approach the NCLT even for other reliefs, such as, activation of DIN which, in my view, *prima facie*, is a consequential relief and can be granted by tribunals even in the absence of specific power. (See *Income Officer, Cannanore v. M.K. Mohammed Kunhi* AIR 1969 SC 430 and *Union Of India and Another v. Paras Laminates (P) Ltd.* (1990) 4 SCC 453).

RAJIV SHAKDHER, J

MAY 29, 2018

rb